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PATENTS  
TECHNOLOGY LICENSING  
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COMPUTER LAW  
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April 29, 2004

**FACSIMILE MESSAGE – COVER SHEET**

To: Office of Initial Patent Examination's Filing Receipt Corrections Fax number: 1-703-746-9195

Company: U.S. Patent and Trademark Office Application No.: 10/644,654

No. of pages: 10

From: Tuddy Denby for John M. Janeway Our Ref: 1984-2-3

Regarding: DEVICE AND METHOD FOR COMMUNUTING MATERIALS

**Message:**

Attached please find a Request for Correction to Updated Filing Receipt and supporting documents.

Tuddy Denby

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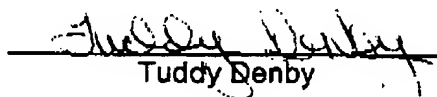
## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Lynn P. Tessier et al.  
Title: DEVICE and METHOD FOR COMMUNUTING MATERIALS  
Application No.: 10/644,654  
Filing Date: 20 August 2003  
Examiner/Unit: /3725  
Attorney Docket No.: 1984-2-3

## CERTIFICATE OF TRANSMISSION

Date of facsimile transmission: April 29, 2004

I hereby certify that this correspondence is being transmitted via facsimile to Fax number (703) 746-9195, Office of Initial Patent Examination's Filing Receipt Corrections, on the date indicated below and is addressed to the Commissioner for Patents on this 29<sup>th</sup> day of April, 2004.

  
Tuddy Denby

## REQUEST FOR CORRECTION OF UPDATED FILING RECEIPT

COMMISSIONER FOR PATENTS  
APPLICATIONS PROCESSING DIVISION  
CUSTOMER CORRECTION BRANCH

## Status:

An Updated Filing Receipt for the above-referenced patent application has been issued by the PTO. The Updated Filing Receipt sets forth inaccuracies concerning the present application. The instant request provides the PTO with correct data so that the records for this patent application may be appropriately updated.

The Updated Filing Receipt indicates that no address was provided for Inventors Russell M. Graham, and Fan Jlang. However, as indicated on the Declaration filed with

missing parts on 13 January 2004, Mr. Russell M. Graham resides in **Calgary, Canada** and Mr. Fan Jiang also resides in **Calgary, Canada**. A copy of the as-filed Declaration is attached.

Also, the Updated Filing Receipt indicates a Filing Fee of \$637 was filed with the missing parts on 13 January 2004. However, as indicated on the Fee Transmittal Form, Check No. 21595, and the Return Postcard \$636 was filed for the application filing fee, extra claims, and late declaration. A copy of these documents are attached for reference.

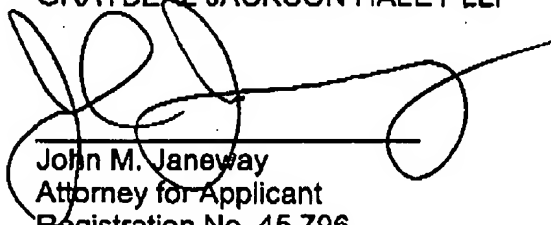
A copy of the PTO's Updated Filing Receipt with corrections made therein is included with this request. Reference to the Updated Filing Receipt and the enclosed documents should provide the Office with sufficient evidence to support Applicants' request for correction.

A correction of the Updated Filing Receipt is respectfully requested in this regard.

Should the Customer Correction Branch have any questions concerning this Request For Correction of Updated Filing Receipt a call to the undersigned is strongly encouraged.

Respectfully submitted,

GRAYBEAL JACKSON HALEY LLP



John M. Janeway  
Attorney for Applicant  
Registration No. 45,796  
155-108th Avenue N.E., Ste 350  
Bellevue, WA 98004-5901  
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4/23/19/04

Page 1 of 2



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1459  
 Alexandria, Virginia 22313-1459  
 www.uspto.gov

APPL NO.	FILING OR 371 (c) DATE	ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/844,654 ✓	08/20/2003 ✓	3725 ✓	<del>007</del> 636	1984-2-3 ✓	7 ✓	36 ✓	4 ✓

CONFIRMATION NO. 5430

00996

GRAYBEAL, JACKSON, HALEY LLP  
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 SUITE 350  
 BELLEVUE, WA 98004-5901

RECEIVED  
 MAR 12 2004

UPDATED FILING RECEIPT



\*OC000000012069185\*

GRAYBEAL, J.  
 JACKSON, H.

Date Mailed: 03/10/2004

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-8195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

## Applicant(s)

Lynn P. Tessier, Cochrane, CANADA; ✓  
 Russell M. Graham, ~~Residence Not Provided~~, Calgary, CANADA  
 James B. Graham, Cochrane, CANADA; ✓  
 William D. Burke, High River, CANADA; ✓  
 Fan Jiang, ~~Residence Not Provided~~, Calgary, CANADA

## Domestic Priority data as claimed by applicant

This application is a CIP of 10/042,052 10/18/2001 ✓  
 and claims benefit of 60/480,907 06/23/2003 ✓

## Foreign Applications

If Required, Foreign Filing License Granted: 11/13/2003 ✓

Projected Publication Date: 08/17/2004 ✓

Non-Publication Request: No ✓

Early Publication Request: No ✓

\*\* SMALL ENTITY \*\* ✓

3/15/04

1/28  
 3/19/04

**Title**

Device and method for comminuting materials ✓

**Preliminary Class**

241

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Title 35, United States Code, Section 184  
Title 37, Code of Federal Regulations, 5.11 & 5.15**

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Approved for use through 07/31/2008. OMB 0651-0032  
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

# FEE TRANSMITTAL for FY 2003

Effective 01/01/2003. Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) **636**

## Complete if Known

Application Number 10/644,854  
Filing Date 20 August 2003  
First Named Inventor Lynn P. Tassier  
Examiner Name  
Art Unit 3725  
Attorney Docket No. 1984-2-3

## METHOD OF PAYMENT (check all that apply)

☒ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account:

Deposit  
Account  
Number

07-1697

Deposit  
Account  
Name

Graybeal Jackson Haley LLP

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments  
☒ Charge any additional fee(s) during the pendency of this application  
☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

## FEE CALCULATION

### 1. BASIC FILING FEE

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	750	2001	375	Utility filing fee	385
1002	330	2002	165	Design filing fee	
1003	520	2003	260	Plant filing fee	
1004	750	2004	375	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	

SUBTOTAL (1)

(\$ 365)

### 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Extra Claims	Fee from below	Fee Paid
36	20	18	144
Independent Claims	4	3	42
Multiple Dependent			0

Large Entity		Small Entity		Fee Description
Fee Code	Fee (\$)	Fee Code	Fee (\$)	
1202	18	2202	9	Claims in excess of 20
1201	84	2201	42	Independent claims in excess of 3
1203	280	2203	140	Multiple dependent claim, if not paid
1204	84	2204	42	** Release independent claims over original patent
1205	18	2205	9	** Release claims in excess of 20 and over original patent

SUBTOTAL (2)

(\$ 186)

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
1051	130	2051	65	Surcharge - late filing fee or oath	65
1052	60	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	410	2252	205	Extension for reply within second month	
1253	930	2253	465	Extension for reply within third month	
1254	1,450	2254	725	Extension for reply within fourth month	
1255	1,870	2255	935	Extension for reply within fifth month	
1401	320	2401	160	Notice of Appeal	
1402	320	2402	160	Filing a brief in support of an appeal	
1403	280	2403	140	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,300	2453	650	Petition to revive - unintentional	
1501	1,300	2501	650	Utility issue fee (or reissue)	
1502	470	2502	235	Design issue fee	
1503	830	2503	415	Plant issue fee	
1450	130	1450	130	Petitions to the Commissioner	
1807	60	1807	60	Processing fee under 37 CFR 1.17 (q)	
1806	180	1806	180	Submission of Information Disclosure Sheet	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	750	2809	375	Filing a submission after final rejection (37 CFR § 1.129(a))	
1810	750	2810	375	For each additional invention to be examined (37 CFR § 1.129(b))	
1901	780	2801	375	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify) \_\_\_\_\_

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3)

(\$ 66)

## SUBMITTED BY

Name (Print/Type) John M. Janney Registration No. (Attorney/Agent) 45,766 Telephone 425-455-5676  
Signature Date 13 January 2004

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 422 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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GRAYBEAL JACKSON HALEY, LLP

21595

Newtech 1984-2-3

Amount: \$636 (\$385 filing fee)(\$186 extra claims)(\$65 late decl.)

App. No.: 10/644,654

GRAYBEAL JACKSON HALEY, LLP

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January 13, 2004

\$636.00

COMMISSIONER FOR PATENTS

  
AUTHORIZED SIGNATURE

⑈021595⑈ ⑆125000105⑆153505710423⑈

**Applicants:** Lynn P. Tessler et al.  
**Title:** DEVICE AND METHOD FOR  
COMMUNUTING MATERIALS  
**Application No.:** 10/644,654  
**Papers Submitted:** Transmittal Form; Copy of Notice to File  
Missing Parts; Fee Transmittal Form;  
Check No. 21595 in the amount of \$636;  
Declaration; IDS Transmittal; Form 1449  
**Sent:** 13 January, 2004  
**Sender:** Tuddy  
**Docket:** 1984-2-3